

FORM PTO-1390 (REV. 1-98)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER 41482/205539
<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>			U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <b>09/807906</b> UNKNOWN
INTERNATIONAL APPLICATION NO. PCT/US99/26265	INTERNATIONAL FILING DATE 12 November 1999 (12.11.99)	PRIORITY DATE CLAIMED 13 November 1998 (13.11.98)	
TITLE OF INVENTION PROSTHESIS AND METHODS OF INDUCING BONY INGROWTH USING ULTRASOUND THERAPY			
APPLICANT(S) FOR DO/EO/US TALISH, Roger J. and WINDER, Alan A.			


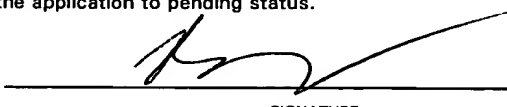
Applicants herewith submit to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

- ☒ This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.
- ☐ This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.
- ☐ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 37 (b) and PCT Articles 22 and 39(1).
- ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
- ☒ A copy of the International Application as published (35 U.S.C. 371(c)(2))
  - ☒ is transmitted herewith (required only if not transmitted by the International Bureau).
  - ☐ has been transmitted by the International Bureau.
  - ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
- ☐ A translation of the published International Application into English (35 U.S.C. 371(c)(2)).
- ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - ☐ have been transmitted by the International Bureau.
  - ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - ☒ have not been made and will not be made.
- ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
- ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). (unexecuted)
- ☐ A translation of the annexes of the International Preliminary Examination Report under PCT Article 36
- ☐ An Information Disclosure Statement under 37 CFR 1.197 and 1.98
- ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
- ☒ A FIRST preliminary amendment.
   
☐ A SECOND or SUBSEQUENT preliminary amendment.
- ☐ A substitute specification.
- ☐ A change of power of attorney and/or address letter.
- ☒ Other items or information:
  - Certification Under 37 CFR 1.10

I hereby certify that this document is being mailed to Box PCT, Commissioner for Patents, Washington, D.C. 20231, via "Express Mail Post Office to Addressee" on this 19 day of April, 2001, Express Mail Label No. EL572470413US

Angela M. Rossi Angela M. Rossi

  - International Preliminary Examination Report with pages 1-6 of amended claims
  - Marked up version of amended claims

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) unknown		INTERNATIONAL APPLICATION NO. PCT/US99/26265		ATTORNEY'S DOCKET NUMBER 41482/205539	
17. <input checked="" type="checkbox"/> The following fees are submitted BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):				CALCULATIONS PTO USE ONLY	
Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO				\$1,000.00	
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO				\$860.00	
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO				\$710.00	
International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4)				\$690.00	
International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4)				\$100.00	
ENTER APPROPRIATE BASIC FEE AMOUNT =				\$860.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	39	19	X \$18.00	\$342.00	
Independent claims	04	01	X \$80.00	\$80.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$270.00	\$ .00	
TOTAL OF ABOVE CALCULATIONS =				\$1,282.00	
Reduction of 1/2 for filing by small entity, if applicable.				\$ .00	
SUBTOTAL =				\$1,282.00	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$ .00	
TOTAL NATIONAL FEE =				\$1,282.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property				\$ .00	
TOTAL FEES ENCLOSED =				\$1,282.00	
				Amount to be refunded:	\$
				charged:	\$
<p>a. <input checked="" type="checkbox"/> Check in the amount of \$1,282.00 is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. 11-0855 in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 11-0855.</p>					
<p>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</p>					
Customer Bar Code Label					
SEND ALL CORRESPONDENCE TO:					
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KILPATRICK STOCKTON LLP		PATENT TRADEMARK OFFICE			
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